

**Federal Defenders
OF NEW YORK, INC.**

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November 3, 2020

BY ECF

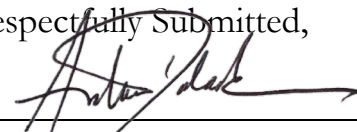
The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

**RE: United States v. Kenneth Garcia
19 Cr. 793 (JMF)**

Dear Judge Furman:

I write on behalf of the parties in response to the Court's Order dated October 30, 2020 regarding the upcoming change-of-plea and sentencing hearing in the above-captioned case, scheduled for November 19, 2020. Dkt. No. 35. To provide the parties adequate time to finalize sentencing-related matters, including an agreement regarding restitution, and given Covid-19's persistent interference with the ability to safely conduct in-person proceedings, the parties jointly and respectfully request that the Court adjourn this matter by 60 days. The defense consents to the exclusion of this additional period of delay from the Speedy Trial Act under 18 U.S.C. § 3161(h)(7)(A).

Respectfully Submitted,

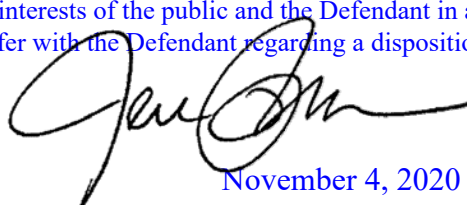


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Cc (via ECF): AUSA Michael Herman

Application GRANTED. The change-of-plea and sentencing are hereby ADJOURNED to January 21, 2021, at 10:30 a.m. The Court excludes time from today to January 21, 2021, under the Speedy Trial Act, finding that the interest in excluding that time outweighs the interests of the public and the Defendant in a speedy trial to permit the parties to resolve the issue of restitution and to confer with the Defendant regarding a disposition. The Clerk of Court is directed to terminate. Doc. #36. SO ORDERED.



November 4, 2020